

A S S I G N M E N T

WHEREAS, We, JAMES C. EASLEY and STANLEY CHANG, M.D., citizens of the United States, residents of the City of St. Charles and City of Scarsdale, County of St. Charles and County of Westchester, State of Missouri and State of New York, whose post office addresses are 1418 St. Gregory Lane, St. Charles, Missouri 63303 and 79 Greenacres Avenue, Scarsdale, New York 10583, respectively, have invented certain improvements in LASER DELIVERY SYSTEM WITH SOFT TIP for which we are about to make, and have this day executed, application for Letters Patent of the United States, identified as Attorney's Docket No. 4644;

AND WHEREAS, INFINITECH, INC., a Missouri corporation, with offices at 750 Goddard, Chesterfield, MO 63005, is desirous of acquiring the entire right, title and interest in and to said improvements in LASER DELIVERY SYSTEM WITH SOFT TIP and all patent rights therefor;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, We, said James C. Easley and Stanley Chang, M.D., do hereby sell, assign, transfer and set over unto said INFINITECH, INC., the entire right, title and interest in and to said improvements, and in and to all Letters Patent and patent rights which may be granted or issued for said improvements, in the United States and all foreign countries, and any reissue or extension thereof, the same to be held and enjoyed by said INFINITECH, INC., its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this Assignment and sale had not been made; and We agree to execute such further applications, powers of attorney, assignments and other documents as may be necessary or desirable to effectuate this Agreement.

AND WE DO HEREBY authorize and request the Commissioner of Patents and Trademarks to issue the Letters Patent, when granted, to INFINITECH, INC., its successors and assigns, as assignee of the entire right, title and interest in and to the said improvements, for the sole use and behoof of said INFINITECH, INC., and for its successors and assigns, to the full ends of the terms for which Letters Patent may be granted.

AND We further grant to INFINITECH, INC., its successors and assigns, the right to claim for any application for patent for said improvements the full benefit of any international agreement between the United States and any foreign country or countries.

AND our attorney is hereby authorized to insert in this Assignment the Serial No. and filing date of said application, when advised thereof, as follows:

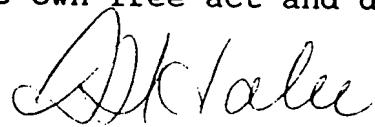
Serial No. 08/048,149 Filed: April 15, 1993.

Date: 6/16/93

  
JAMES C. EASLEY

STATE OF Missouri)  
COUNTY OF St Louis) SS.

On this 16th day of JUNE, 1993, before me, a Notary Public, personally appeared JAMES C. EASLEY to me known to be the person named in and who executed the above Assignment, and acknowledged to me that he executed the same for the uses and purposes therein mentioned, as his own free act and deed.



Notary Public

TONYA S. HAHN

NOTARY PUBLIC - STATE OF MISSOURI

MY COMMISSION EXPIRES JUN. 15, 1994

ST. CHARLES COUNTY

My Commission expires:

Date: 8-10-93

*Stanley Chang*  
STANLEY CHANG, M.D.

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) SS.

On this 10 day of AUGUST, 1993, before me, a Notary Public, personally appeared STANLEY CHANG, M.D., to me known to be the person named in and who executed the above Assignment, and acknowledged to me that he executed the same for the uses and purposes therein mentioned, as his own free act and deed.

*Ruth Berkowitz*  
My Commission expires: 4/30/94

Notary Public  
RUTH BERKOWITZ  
NOTARY PUBLIC, State of New York  
No. 03-4713668  
QUALIFIED IN BRONX COUNTY  
Commission Expires 4/30/94

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled LASER DELIVERY SYSTEM WITH SOFT TIP, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Philip B. Polster, Reg. No. 16,554, Frederick M. Woodruff, Reg No. 15,301, J. Philip Polster, Reg No. 24,739, Lionel L. Lucchesi, Reg No. 25,891, William G. Bruns, Reg No. 19,541, and Edward A. Boeschenstein, Reg No. 22,986, William B. Cunningham, Jr., Reg No. 26,155, Gregory E. Upchurch, Reg No. 28,482, Ralph B. Brick, Reg No. 17,444, Michael Kovac, Reg No. 22,140, J. Joseph Muller, Reg No. 28,450, Richard J. Sher, Reg No. 27,282, Jonathan P. Soifer, Reg No. 34,932, and Ned W. Randle, Reg No. 35,989.

Direct all telephone calls to Gregory E. Upchurch at Telephone No. (314) 872-8118.

Address all correspondence to Polster, Lieder, Woodruff & Lucchesi, 763 South New Ballas Road, Suite 160, St. Louis, Missouri 63141.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole  
or first inventor:  
Inventor's signature:  
Residence:

Citizenship:  
Post Office address:

Full name of  
second inventor:  
Inventor's signature:  
Residence:

Citizenship:  
Post Office address:

1-00  
James C. Easley Date: 4/8/93  
EAS MO  
City of St. Charles  
County of St. Charles  
State of Missouri  
U.S.  
1418 St. Gregory Lane  
St. Charles, Missouri 63303,

2-00  
Stanley Chang, M.D. Date: 4/14/93  
Stanley Chang NY  
City of Scarsdale  
County of Westchester  
State of New York  
U.S.  
79 Greenacres Avenue  
Scarsdale, New York 10583



99  
AUG  
14  
1995  
Serial No.:  
For: LASER DELIVERY SYSTEM WITH SOFT TIP

Attorney's Docket No.: 4644

Filed:

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act  
on behalf of the concern identified below:

NAME OF CONCERN Infinitech, Inc.

ADDRESS OF CONCERN 750 Goddard

Chesterfield, Missouri 63005

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled LASER DELIVERY SYSTEM WITH SOFT TIP, by inventor(s) James C. Easley and Stanley Chang, M.D., described in

- the Specification filed herewith.  
 Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.  
 Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d)

or a non-profit organization under 37 CFR 1.9(e). \*NOTE:  
Separate verified statements are required from each named person,  
concern or organization having rights to the invention averring  
to their status as small entities. (37 CFR 1.27).

FULL NAME None

ADDRESS \_\_\_\_\_

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent,  
notification of any change in status resulting in loss of  
entitlement to small entity status prior to paying, or at the  
time of paying, the earliest of the issue fee or any maintenance  
fee due after the date on which status as a small entity is no  
longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own  
knowledge are true and that all statements made on information  
and belief are believed to be true; and further that these  
statements were made with the knowledge that willful false  
statements and the like so made are punishable by fine or  
imprisonment, or both, under Section 1001 of Title 18 of the  
United States Code, and that such willful false statements may  
jeopardize the validity of the application, any patent issuing  
thereon, or any patent to which this verified statement is  
directed.

NAME OF PERSON SIGNING Steven O. Collins

TITLE OF PERSON Executive Vice President

ADDRESS OF PERSON SIGNING 750 Goddard

Chesterfield, MO 63005

SIGNATURE Steven O. Allen

DATE 4/14/93

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

James C. Easley  
Stanley Chang, M.D.

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment  
 Security Agreement  
 Other \_\_\_\_\_

- Merger  
 Change of Name

Execution Date: August 10, 1993

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

U.S. Serial No. 08/048,149  
Filed April 15, 1993

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Gregory E. Upchurch

Internal Address: Polster, Lieder, Woodruff & Lucchesi

Street Address: 763 S. New Ballas Road  
Suite 230

City: St. Louis State: MO ZIP: 63141

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Gregory E. Upchurch

Name of Person Signing

*Gregory E. Upchurch*  
Signature

10/17/93

Date

Total number of pages including cover sheet, attachments, and document: 4